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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 JANE DOE,) Case No. SACV 15-00608-JAK (KES)
12 Plaintiff,)
13 vs.) ORDER ACCEPTING FINDINGS,
14 CITY OF NEWPORT BEACH,) CONCLUSIONS, AND
15 et al.,) RECOMMENDATIONS OF UNITED
16 Defendants.) STATES MAGISTRATE JUDGE

17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the pleadings and all the
18 records and files herein, as well as the Report and Recommendation of the United
19 States Magistrate Judge. No objections to the Report and Recommendation have been
20 filed. The Court hereby approves and accepts the findings, conclusions, and
21 recommendations of the United States Magistrate Judge, subject to certain
22 modifications, which are stated below:

23 IT THEREFORE IS ORDERED that (1) Plaintiff's Third claim in the Second
24 Amended Complaint for § 1983 liability against Defendant City of Newport Beach is
25 dismissed without prejudice; (2) Plaintiff's Fourth, Fifth and Sixth claims in the
26 Second Amended Complaint against Defendant City of Newport Beach are dismissed
27 with prejudice; (3) Defendants' motion to strike Plaintiff's prayer for punitive
28 damages is Denied; (4) Defendants' motion to strike Plaintiff's prayer for attorney

1 fees is Denied without prejudice; and (5) Further leave to amend the Second Amended
2 Complaint against Defendant City of Newport Beach is Granted as to Plaintiff's §
3 1983 claim; provided, however, in light of the discovery that has been conducted in
4 this action and other information that is reasonably available to Plaintiff, any such
5 amended complaint shall set forth detailed allegations to support any claim that is
6 reasserted, such allegations shall be ones for which Plaintiff has a good faith basis
7 consistent with the requirements of Fed. R. Civ. P. 11, and such a claim shall not
8 be premised on allegations of a failure to train by the City of Newport Beach . *See*
9 *Flores v. Cty. of L.A.*, 758 F.3d 1154 (9th Cir. 2014). In drafting any amended
10 complaint Plaintiff shall also be mindful that the proposed amendments identified in
11 the Magistrate Judge's Report and Recommendation are insufficient to state a § 1983
12 claim.

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14 DATED: June 2, 2016



JOHN A. KRONSTADT
UNITED STATES DISTRICT JUDGE